

RESOLUTION NO. 70-93

BLUE RIDGE SEWER IMPROVEMENT DISTRICT
NAVAJO COUNTY, ARIZONA

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BLUE RIDGE SEWER
IMPROVEMENT DISTRICT ASSESSMENT AREA 1C DECLARING THE BONDS
PAID IN FULL AND PROVIDING FOR THE DISTRIBUTION OF THE SURPLUS
FUNDS REMAINING IN THE BOND REDEMPTION AND OTHER FUNDS FOR SAID
ASSESSMENT AREA**

WHEREAS, the Blue Ridge Sewer Improvement District, a municipal corporation formed pursuant to ARS Section 11-701 (now ARS 48-901 it seq) has heretofore formed Assessment Area 1C and has constructed collector sewers and related appurtenant facilities, the cost of said construction and all incidental expenses being paid through revenues derived from assessments and the issuance and sale of sewer improvement bonds; and,

WHEREAS, all principal and interest of the Blue Ridge Sewer Improvement District Assessment Area 1C bonds have been deemed paid in full and returned to the treasurer of Navajo County; and,

WHEREAS, by agreement between the Blue Ridge Sewer Improvement District Assessment Area 1C and Navajo County and the Pinetop-Lakeside Sanitary District any funds remaining in the bond fund or any other fund of the Blue Ridge Sewer Improvement District Assessment Area 1C shall be divided equally between Navajo County and the Pinetop-Lakeside Sanitary District to repay a loan made and documented in the minutes of the Navajo County Board of Supervisors on August 22, 1988; and,

WHEREAS, a surplus exists in the bond redemption fund of Blue Ridge Sewer Improvement District Assessment Area 1C; and,

WHEREAS, a potential liability of \$9,000.00 exists for early bond redemption penalties not claimed when certain bonds were redeemed early in 1985; and,

WHEREAS, all assessments against property in the Blue Ridge Sewer Improvement District Assessment Area 1C have been levied and collected except for \$5.73 uncollected; and,

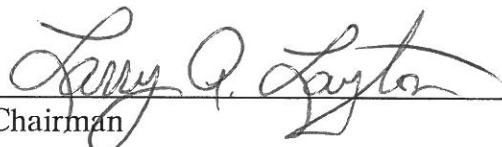
WHEREAS, the Board of Directors of the Pinetop-Lakeside Sanitary District, pursuant to a previous agreement with the Board of Directors of the Blue Ridge Sewer Improvement District, has hereby made a recommendation that this Resolution be adopted.

THEREFORE BE IT RESOLVED THAT:

1. The bonds issued by the Blue Ridge Sewer Improvement Assessment Area 1C are fully paid;
2. The Superintendent of Streets is hereby ordered to release the lien of the assessment on all properties within the boundary of the Blue Ridge Sewer Improvement District Assessment Area 1C on which the complete assessment is paid;
3. The funds remaining in the bond redemption and other accounts of the Blue Ridge Sewer Improvement District Assessment Area 1C total \$69,089.46 and shall be divided one-half to the Navajo County General Fund and one-half to the operating account of the Pinetop-Lakeside Sanitary District;
4. The potential claim of \$9,000.00 for prepayment penalties on those certain bonds redeemed in 1985 be paid one-half by Navajo County and one-half by the Pinetop-Lakeside Sanitary District should such claim be made and perfected;
5. The remaining uncollected assessment of \$5.73 be deposited into the operating fund of the Pinetop-Lakeside Sanitary District pursuant to the agreement between the Blue Ridge Sewer Improvement District and the Pinetop-Lakeside Sanitary District dated August 27, 1985.

ADOPTED THIS 23rd DAY OF August, 1993.

Blue Ridge Sewer Improvement District


Chairman

ATTEST:


Clerk

RESOLUTION NO. 93-10

**RESOLUTION RECOMMENDING THAT THE BOARD OF DIRECTORS OF THE
BLUE RIDGE SEWER IMPROVEMENT DISTRICT ADOPT A RESOLUTION
CONFIRMING THAT THE BONDS FOR ASSESSMENT AREA 1C ARE PAID IN FULL
AND CLOSING OUT THE ACCOUNT**

WHEREAS, the Blue Ridge Sewer Improvement District Assessment Area 1C bonds are retired in full; and,

WHEREAS, a portion of the funds necessary to make the required principal and interest payments on the bonds was transferred to the Blue Ridge Sewer Improvement District Assessment Area 1C by Navajo County and the Pinetop-Lakeside Sanitary District in the amounts of \$41,350 and \$70,078 respectively; and,

WHEREAS, the agreements between Blue Ridge Sewer Improvement District Assessment Area 1C and Navajo County and the Pinetop-Lakeside Sanitary District state that any unexpended funds in the Blue Ridge Sewer Improvement District Assessment Area 1C accounts remaining after the bonds are redeemed be paid in equal amounts to the Pinetop-Lakeside Sanitary District and Navajo County; and,

WHEREAS, all assessments against property have been paid except for an outstanding balance of \$5.73 on Assessors Parcel 211-26-322 and a potential claim in the amount of \$9,000.00 in prepayment penalties for early bond calls in 1985; and,

WHEREAS, the sum of \$69,089.46 is currently available in the account for Blue Ridge Sewer Improvement District Assessment Area 1C.

THEREFORE BE IT RESOLVED THAT:

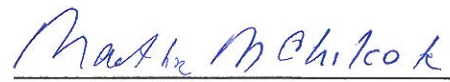
The Board of Directors of the Pinetop-Lakeside Sanitary District makes the following recommendations to the Board of Directors of the Blue Ridge Sewer Improvement District:

1. That since the bonds are fully paid and the assessments against property are fully levied that the Blue Ridge Sewer Improvement District Assessment Area 1C Be Declared Completed and Closed Out;
2. That the Superintendent of Streets is hereby ordered to release the lien of the assessment on all properties within the boundaries of the Blue Ridge Sewer Improvement District Assessment Area 1C except Assessors Parcel 211-26-322 on which a portion of the assessment is due;

3. That the funds remaining in the Blue Ridge Sewer Improvement District Assessment Area 1C totaling \$69,089.46 be paid one-half to Navajo County and one-half to the Pinetop-Lakeside Sanitary District;
4. That the potential claim of \$9,000.00 be paid one-half by Navajo County and one-half by the Pinetop-Lakeside Sanitary District should the claim be made and perfected;
5. That the remaining uncollected assessment of \$5.73 be deposited into the general fund of the Pinetop-Lakeside Sanitary District when collected pursuant to the agreement between the Blue Ridge Sewer Improvement and the Pinetop-Lakeside Sanitary District dated August 27, 1985.

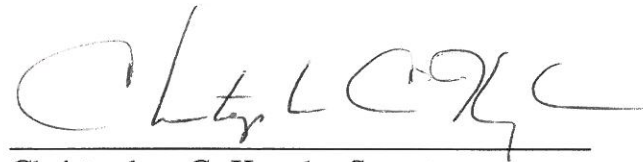
ADOPTED THIS 10TH DAY OF AUGUST 1993.

Pinetop-Lakeside Sanitary District



Martha M. Chilcote, Chairman

ATTEST:



Christopher C. Kengla, Secretary

CERTIFIED COPY OF ENTRY IN OFFICIAL MINUTES
OF NAVAJO COUNTY BOARD OF SUPERVISORS

RECEIVED AUG 25 1988

State of Arizona

County of Navajo

I, Sharon R. Keene, being first duly sworn, deposes and says: I am the duly appointed qualified Clerk of the Navajo County Board of Supervisors and in such capacity under the provisions of A.R.S. Section 11-241, am charged with the responsibilities, among others, of recording all proceedings of the Board and maintaining custody of such records of the Board as are required by law to be maintained. Among the records of which I have custody is the official minutes book of the Board of Supervisors which, under the provisions of A.R.S. Section 11-217, is required to be made and kept.

Set forth below is a copy of an entry in the aforesaid minute book of which, as aforesaid, I am the officer having the legal custody. This is my certificate under the provisions of Rule 44 (g), Rules of Civil Procedure, and the Uniform Business Records Act, that the said copy is a true and correct copy thereof, to which I attest by my signature subscribed here:

From the Minutes Book No. _____, Page _____, Meeting Date: August 22, 1988.

PINETOP/LAKESIDE SANITARY DISTRICT
Blue Ridge Sewer Improvement District Assessment Area 1C

Mr. Layton made a motion that \$41,350 be transferred from the General Fund Contingency to the Blue Ridge Sewer Improvement ^{District} Assessment Area 1C account to call bonds on September 1, 1988. And further, that if funds are remaining after all bonded indebtedness of assessment area 1C is paid off, that the excess funds be split equally between the Navajo County General Fund and the Pinetop/Lakeside Sanitary District until the county has been paid back \$41,350 and the Pinetop/Lakeside Sanitary District has been paid back \$70,078 in accordance with ARS 48-947.

SUBSCRIBED AND SWORN to before me this 24th day of August, 1988.

Sharon R. Keene
Sharon R. Keene, Clerk

My Commission Expires: *

My Commission Expires April 28, 1991

Richard L. Evans
Notary Public